



General Assembly

January Session, 2005

Committee Bill No. 652

LCO No. 3969

03969SB00652GL_

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT REGARDING THE RETURN POLICY OF RETAIL STORES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 42-110aa of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective from passage*):

3 (a) [A refusal by any] No person engaged in trade or commerce in
4 this state, upon the return of goods purchased from such person's
5 place of business, shall refuse to accept the returned goods
6 immediately and issue the individual returning such goods either a
7 cash or credit refund of the purchase price or credit towards the
8 purchase of another item offered for sale at such person's place of
9 business, provided such return is made within the period of time
10 established by such person for the acceptance of returned goods and
11 provided further, such goods are returned in a manner consistent with
12 such person's conspicuously posted refund or exchange policy [,
13 constitutes an unfair trade practice under subsection (a) of section 42-
14 110b.] Such person shall provide, upon a consumer's request, a clear,
15 written description of such person's refund or exchange policy and
16 such person's posted refund or exchange policy shall also include clear
17 and conspicuous notice that a written description of such refund or

18 exchange policy is available upon request.

19 (b) Notwithstanding the provisions of subsection (a) of this section,
 20 in the event that a consumer returns goods within the period of time
 21 established by such person for acceptance of returned goods and
 22 produces a valid receipt for such goods, such person shall provide a
 23 cash or credit refund or credit towards the purchase of another item
 24 offered for sale at such person's place of business unless such goods
 25 were clearly marked as nonrefundable or nonreturnable. In the event
 26 such person's stated return policy limits the amount of returned goods
 27 from a consumer, such policy shall not include goods returned within
 28 the period of time established by such person for acceptance of
 29 returned goods with a valid receipt and such person shall send a
 30 written notice to such consumer's home address or post office box
 31 informing such consumer when such consumer has one or more
 32 allowable returns under such policy.

33 ~~[(b)]~~ (c) This section shall not be construed to prohibit any person
 34 engaged in trade or commerce in this state from extending the period
 35 of time during which such person will accept the return of goods
 36 purchased from such person's place of business.

37 ~~[(c)]~~ (d) This section does not apply to perishable goods, including
 38 readily perishable foods and beverages, or goods clearly marked as
 39 nonreturnable pursuant to such person's conspicuously posted refund
 40 or exchange policy.

41 (e) Any violation of the provisions of subsection (a) of this section
 42 shall constitute an unfair trade practice for purposes of section 42-110b.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	42-110aa

Statement of Purpose:

To clarify and strengthen state law regarding a consumer's right to return or exchange merchandise to a retailer.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. LOONEY, 11th Dist.; SEN. COLAPIETRO, 31st Dist.
SEN. HARRIS, 5th Dist.; REP. FRITZ, 90th Dist.

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